

Serial No. **10/578,709**
Amdt. dated January 22, 2009
Reply to Office Action of October 24, 2008

Docket No. **IK-0134**

REMARKS/ARGUMENTS

Claims 1-21 are pending. By this Amendment, the Abstract and claims 1-2 and 4-21 are amended. No new matter is added. The Abstract and claims have been amended merely to correct informalities. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Examiner is thanked for the indication that claims 2-4, 6-12, 14-18, 20, and 21 would be allowable if rewritten in independent form to include all of the features of the base claim and any intervening claims. However, for the reasons set forth below, claims 2-4, 6-12, 14-18, 20, and 21 have not been rewritten in independent form at this time.

The Office Action rejected claims 9-10 under 35 U.S.C. 112, second paragraph, as allegedly being indefinite. Each of the Examiner's comments has been addressed in amending the claims. Hence, withdrawal of this rejection is respectfully requested.

The Office Action rejected claims 5 and 13 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,682,161 to Yun et al. (hereinafter "Yun"). The rejection is respectfully traversed.

Independent claim 5 recites a refrigerator comprising, *inter alia*, at least one clamp provided at an upper end of the seating space, the at least one clamp pivoting in forward and backward directions by means of at least one hinge assembly and supporting the communication pad in the

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seating space by enclosing an upper end of the communication pad, and at least one holder provided at a lower end of the seating space that supports a lower end of the communication pad by receiving the communication pad inserted thereinto. Independent claim 13 recites a refrigerator comprising, *inter alia*, an upper holder provided at an upper end of the seating space that supports an upper end of the communication pad by enclosing the upper end of the communication pad, and a lower holder provided at a lower end of the seating space that supports a lower end of the communication pad by enclosing the lower end of the communication pad, wherein at least one of the upper and lower holders is installed to be vertically movable in a height direction of the communication pad. Yun does not disclose or suggest such features of independent claims 5 and 13, or the respective claimed combinations.

That is, Yun discloses an installation structure for a display unit of a refrigerator that includes a rectangular accommodating portion 22 recessed in a front surface of an outer case 21, and a display unit 10 installed within the accommodating portion 22 comprising a liquid crystal display panel 10b installed within a frame 10a. Yun further discloses that the frame 10a includes a hinge shaft 11 at each upper end on both side of the frame 10a for pivotably supporting the frame 10a and a pair of fixing projections 12 protruding from portions below the hinge shaft 11 for guiding and fixing an installation angle of the display unit 10 by a compression force of springs of the fixing projections 12. Each side surface of the accommodation portion 22 includes a hinge recess 22a corresponding to the hinge shaft 11 and an arc-shaped guide groove 22b at a

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position corresponding to the fixing projection 12. See, for example, Figs. 2A, 2B, 3A, 3B, and column 3, line 36 – column 4, line 64 of Yun.

The Office Action asserts that frame 10a of Yun corresponds to the claimed at least one holder of independent claim 5. However, the frame 10a is part of the display unit 10 of Yun, and thus, is not provided at a lower end of the accommodation portion 22, which can be corresponded to the claimed seating space of independent claim 5, and does not support a lower end of the display unit 10 by receiving the display unit 10 inserted thereinto. Further, Yun does not disclose or suggest at least one clamp provided at an upper end of the seating space, the at least one clamp pivoting in forward and backward directions by means of at least one hinge assembly and supporting the communication pad in the seating space by enclosing an upper end of the communication pad.

Similarly, independent claim 13 recites a lower holder provided at a lower end of the seating space that supports a lower end of the communication pad. Again, the frame 10a is part of the display unit 10 of Yun, and thus, is not provided at a lower end of the accommodation portion 22 and does not support a lower end of the display unit 10 by enclosing the lower end of the display unit 10. Further, the Office Action asserts that “[i]n regard to claim 13, it is noted that the lower portion of pad 10b as well as the locking means which fastens the lower part of the display, change height when pivoted from the refrigerator door.” However, the change in height of the lower portion of the display unit 10 of Yun is due to the pivoting of the display

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unit 10. The only elements in Yun that function in any capacity as a holder are the hinge shafts 11 and fixing projections 12 in combination, respectively, with the hinge recesses 22a and guides grooves 22b. However, these elements are not installed to be vertically movable in the height direction of the display unit 10. Additionally, Yun does not disclose or suggest the claimed upper holder that supports an upper end of the communication pad by enclosing the upper end of the communication pad.

For at least the above reasons, Yun fails to disclose or suggest all of the features of independent claims 5 and 13, or the respective claimed combinations. Accordingly, the rejection of independent claims 5 and 13 over Yun should be withdrawn.

The Office Action rejected claims 1 and 19 under 35 U.S.C. §103(a) as being unpatentable over Yun in view of U.S. Patent No. 5,719,645 to Saito et al. (hereinafter "Saito"). The rejection is respectfully traversed.

Yun is an improper reference under 35 U.S.C. §103(c) as Yun and the present application were commonly owned at the time of the invention. Accordingly, the rejection of independent claim 1 over Yun and Saito should be withdrawn. Dependent claim 19 is allowable over Yun and Saito at least for the reasons discussed above with respect to independent claim 1, from which it depends, as well as for its added features.

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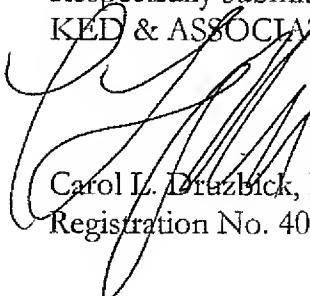
CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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